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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/081,737 05/19/98 LIU

Q 19959Y

000210
MERCK AND CO INC
P O BOX 2000
RAHWAY NJ 07065-0907

HM22/0928

EXAMINER

TUNG, P

ART UNIT

PAPER NUMBER

1652

10

DATE MAILED:

09/28/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Art Unit: 1652

DETAILED ACTION

1. Claims 1-9 and 16-19 are pending.

Response to Amendment

2. The declaration filed on 7/2/99 under 37 CFR 1.131 is sufficient to overcome the Boss et al. reference.

Allowable Subject Matter

3. Claims 1-9 and 16-19 are allowable over the prior art of record. The prior art does not teach or suggest the DNA sequence of SEQ ID NO: 11, a DNA encoding the protein of SEQ ID NO: 12, vectors and host cells comprising said DNAs, or methods of making said protein.


Conclusion

4. All claims are allowable. However, due to a potential interference, *ex parte* prosecution is SUSPENDED FOR AN INDEFINITE PERIOD.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Tung, Ph.D. whose telephone number is (703) 308-9436. The examiner can normally be reached on Monday-Friday from 9:00 to 5:30.

Art Unit: 1652

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapu Achutamurthy, Ph.D., can be reached on (703) 308-3804. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.



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